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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/329,182	06/10/1999	GREGORY A. LECLAIR	07426.0001-0	7787

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EXAMINER

NGUYEN, THU HA T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/30/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/329,182

Applicant(s)

LECLAIR ET AL.

Examiner

Thu Ha T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5, 7-8, 13-14, 19-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,8,13,14 and 19-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 3-5, 7-8, 13-14 and 19-48 are presented for examination.

Response to Arguments

2. Applicant's arguments filed on May 20, 2003 have been fully considered but they are not persuasive because of the following reasons:

3. Applicants argue that Unno does not teach or suggest having said destination device send information to said input device identifying a destination address for a remote storage device accessible over said network and remote from said input device and said destination device. In response to Applicants' argument, Examiner asserts that Unno does teach having said destination device send information to said input device identifying a destination address for a remote storage device accessible over said network and remote from said input device and said destination device as shown in figures 1, 12, 13, 72, 73, col. 10 lines 40-col. 11 lines 63, col. 13 lines 58-col. 14 lines 39, col. 27 lines 1-25. As shown in col. 13 lines 17-43, the user can edit the address book, UI 4050 receives destination address input from user and send to input device (address book) and based on that address the input device can determine and send data to which destination. Applicants have broadly claimed the destination device send input information to said input device. Applicants do not clearly claim the destination device as a external device and separate from input device as argued in independent claim 1 [paper no.23]; therefore, Examiner asserts that Unno does teach this part of claim as shown in the recited reference.

4. Applicants argue that Unno does not teach or suggest having said destination device initiate the retrieval of said input data in response to said notification. In response to Applicants' argument, Examiner asserts that Unno does teach having said destination device initiate the retrieval of said input data in response to said notification as shown in figures 1, 12, 13, col. 5 lines 25-45, col. 10 lines 40-col. 11 lines 63, col. 27 lines 1-44. As response in the above argument, Applicants have broadly claimed the destination device. Applicants do not clearly claim the destination device as an external device and separate from input device as argued in independent claim 1 [paper no.23], thus Examiner asserts that Unno does teach this part of claim as shown in the recited reference.

5. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 5, 13-14, 19 and 34. Claims 3-4, 7-8, 20-33, and 35-48 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action [see paper no. 20]. Accordingly, claims 1, 3-5, 7-8, 13-14, and 19-48 are respectfully rejected.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the

requirements of paragraphs (1), (2), and (4) of section 37 1(c) of this title before the invention thereof by the applicant for patent.

7. Claims 1, 3-5, 7-8, 13-14, 19-48 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Unno** U.S. Patent No. **6,437,875**.

8. As to claims 1, and 5, **Unno** teaches the invention as claimed, including a method for remote execution of an application over a network including a destination device and an input device, the method comprising the operations of:

having said input device receive input data (abstract, figure 1, element 1001),

having said destination device send information to said input device identifying a destination address for a remote storage device accessible over said network and remote from said input device and said destination device (figures 1, 12, 13, 72, 73, col. 10 lines 40-col. 11 lines 63, col. 13 lines 58-col. 14 lines 39),

having said input device respond to said receiving of said input data by sending the received input data to said remote storage device in accordance with said destination address, and sending notification to said destination device indicating that input data is ready for pickup at said remote storage device (figures 1, 12, col. 5 lines 13-50, col. 10 lines 40-col. 11 lines 63, col. 27 lines 2-35);

having said destination device initiate the retrieval of said input data in response to said notification (figures 1, 12, 13, col. 5 lines 25-45, col. 10 lines 40-col. 11 lines 63).

9. As to claims 3, and 7, **Unno** teaches the invention as claimed, further comprising having said input device receive a request specifying a preferred file format; and having said input device convert said received input data to said preferred file format (col. 13 lines 58-col. 14 lines 39, col. 20 lines 53-col. 21 lines 21, col. 23 lines 25-47).

10. As to claims 4, and 8, **Unno** teaches the invention as claimed, further comprising having said input device transmit status information in response to a status request (col. 21 lines 66-col. 22 lines 33).

11. As to claim 13, **Unno** teaches the invention as claimed, including a network data control system comprising:

an input device for receiving input data, said input device having access to a network (figure 1),

a destination device remote from said input device and having access to said network (figures 1, 13, col. 5 lines 25-50, col. 13 lines 11-15);

a remote storage device accessible via said network and remote from said input device and said destination device (figures 1, 13, col. 5 lines 25-50, col. 13 lines 11-15);
wherein

said destination device is effective for transmitting to said input device information identifying a destination address for said remote storage device (figures 1, 13, col. 25-50);

said input device is effective for transferring the input data to said remote storage device and transmitting a notification to said destination device including instructions for accessing the input data from said remote storage device (figures 1, 12, col. 5 lines 13-50, col. 10 lines 40-col. 11 lines 63, col. 27 lines 2-35); and

said destination device responds to said notification by retrieving the input data from one of said input device and said remote storage device (figures 1, 12, 13, col. 5 lines 25-45, col. 10 lines 40-col. 11 lines 63).

12. As to claim 14, **Unno** teaches the invention as claimed, wherein said input device is a network scanner (figure 1).

As to claim 19, **Unno** teaches the invention as claimed, including a network image data transfer system comprising:

an image input device for generating image data, said image input device having access to a network (figure 1);

a client device having access to said network (figures 1, 13, col. 5 lines 25-50, col. 13 lines 11-15);

a remote storage device accessible via said network and remote from said image input device and said client device (figures 1, 13, col. 25-50); wherein

said image device transfers said image data to said remote storage device and transmits a notification to said client device including instructions for accessing said

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image data from said remote storage device (figures 1, 12, col. 5 lines 13-50, col. 10 lines 40-col. 11 lines 63, col. 27 lines 2-35); and

said client device responds to said notification by retrieving said image data over said network from said remote storage device (figures 1, 12, 13, col. 5 lines 25-45, col. 10 lines 40-col. 11 lines 63).

13. As to claim 20, **Unno** teaches the invention as claimed, wherein said notification includes information for locating said image data within the file structure of said remote storage device (col. 27 lines 1-16).

14. As to claim 21, **Unno** teaches the invention as claimed, wherein said instructions include a Uniform Resource Locator, URL, for accessing said image data from said remote storage device (col. 18 lines 35-col. 19 lines 67).

15. As to claim 22, **Unno** teaches the invention as claimed, wherein said network is the Internet (figure 1).

16. As to claim 23, **Unno** teaches the invention as claimed, wherein said image input device stores said image data and makes it accessible through HTTP communication protocol, and provides information for accessing said stored image data within said notification (figure 1, col. 10 lines 40-67, col. 13 lines 17-col. 15 lines 5).

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17. As to claim 24, **Unno** teaches the invention as claimed, wherein said image input device is further effective for receiving the network addresses of a plurality of said client devices, and transmits said notification to a select group of client devices within said plurality of client devices (figures 1, 12, col. 5 lines 13-50, col. 10 lines 40-col. 11 lines 63, col. 27 lines 2-35).

18. As to claim 25, **Unno** teaches the invention as claimed, wherein the client devices within said select group each independently initiates the retrieval of said image data using the HTTP GET protocol (figure 12, col. 10 lines 40-67, col. 13 lines 17-col. 15 lines 5).

19. As to claim 26, **Unno** teaches the invention as claimed, wherein said client device submits the network address of said remote storage device to said image input device, and said image input device accesses said remote storage device using submitted network address (figures 1, 12, col. 5 lines 13-50, col. 10 lines 40-col. 11 lines 63, col. 27 lines 2-35).

20. As to claim 27, **Unno** teaches the invention as claimed, wherein said notification includes parameter data descriptive of said image data, and said client device initiates the retrieval of said image data only if it determines that its physical parameters are capable of manipulating said image data (figure 12, col. 10 lines 40-64).

21. As to claim 28, **Unno** teaches the invention as claimed, wherein said parameter data includes at least the resolution of said image data, and the decision whether to retrieve said image data is dependent on the specified resolution of said image data and whether said client device can handle the specified resolution (figure 12, col. 7 lines 60-col. 8 lines 3, col. 10 lines 40-64, col. 13 lines 45-col. 14 lines 39).

22. As to claim 29, **Unno** teaches the invention as claimed, wherein prior to retrieving said image data, said client device submits a preferred file format to said image input data device, and retrieves said image data only if said image data is in said preferred file format (col. 13 lines 58-col. 14 lines 39, col. 20 lines 53-col. 21 lines 21, col. 23 lines 25-47).

23. As to claim 30, **Unno** teaches the invention as claimed, wherein said image input device responds to said submission of said preferred file format from said client device by converting said image data into said preferred file format if said image data is not already in said preferred file format (col. 13 lines 58-col. 14 lines 39, col. 20 lines 53-col. 21 lines 21, col. 23 lines 25-47).

24. As to claim 31, **Unno** teaches the invention as claimed, wherein said preferred file format is one of GIF format, JPEG format, or other file compression format (vol. 11 lines 65-col. 12 lines 13, col. 14 lines 12-39).

25. As to claim 32, **Unno** teaches the invention as claimed, wherein said image input device is further effective for receiving the network address of said client device, and transmits said notification to said client device according to said received network address (figures 1, 12, col. 5 lines 13-50, col. 10 lines 40-col. 11 lines 63, col. 27 lines 2-35).

26. As to claim 33, **Unno** teaches the invention as claimed, wherein said input device is one of a scanner, camera, and facsimile machine (figure 1).

27. As to claim 48, **Unno** teaches the invention as claimed, including a computer-readable medium containing instructions for implementing the method of claim 34, and transferring image data in said network having said image input device, client device and remote storage device (figure 1).

28. Claims 34-47 have similar limitations as claims 19-32; therefore, they are rejected under the same rationale.

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703) 305-7447. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SPE Hosain T. Alam, can be reached at (703) 308-6662.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax number for art unit 2155 is (703) 746-7239.

Thu Ha Nguyen

July 24, 2003


HOSAIN T. ALAM
PRIMARY EXAMINER